

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
UNITED STATES OF AMERICA,

-against-

OMAR ARIAS CASILLA,

Defendant.

ANALISA TORRES, District Judge:

USDC SDNY
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21 Cr. 218-1 (AT)

ORDER

On November 16, 2022, the Court held a *Fatico* hearing to determine whether evidence seized from a warrantless search of Defendant Omar Arias Casilla's apartment may be considered at sentencing. Dkt. Entry 11/16/22; Def. Request at 1–2, ECF No. 69. At the hearing, Defendant sought to introduce into evidence four exhibits, to which the Government objected. Gov. Fatico Mem. at 1, ECF No. 81; Hearing Tr. 110:11–112:24. The Court deferred consideration of the issue and directed the parties to file briefs regarding the admissibility of the Exhibits. Dkt. Entry 11/16/22; Hearing Tr. 112:25–113:2, 115:7–20. On January 3, 2023, the Court ruled on the admissibility of the exhibits. ECF No. 92.

Accordingly, by **February 17, 2023**, the parties are directed to file briefs stating their position on whether the evidence seized from the search of Defendant's apartment may be considered at sentencing. By **March 10, 2023**, the parties shall file their opposition briefs. By **March 31, 2023**, the parties shall file their replies, if any.

SO ORDERED.

Dated: January 25, 2023
New York, New York



ANALISA TORRES
United States District Judge